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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/904,056

07/31/97

LINDSEY

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450.156US1

LM01/1109

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EXAMINER

NELSON, A

ART UNIT

PAPER NUMBER

2775

DATE MAILED:

11/09/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/904,056

Applicant(s)

Lindsay

Examiner

Alecia Nelson

Group Art Unit

2775



☒ Responsive to communication(s) filed on Aug 30, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-18 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-18 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. ***Claims 1-5, 7, 8, and 10-18***, are rejected under 35 U.S.C. 103(a) as being unpatentable over Broussard (EP Patent No. 0 602 947) in view of Gregg et al. (U.S. Patent No. 5,963,195).

With reference to **claims 1, 8, 12, and 16**, Broussard teaches a computer (10) that comprises a microprocessor (12) that is connected to a local bus (14), which is in turn connected to a bus interface controller (16). The bus interface controller (16) controls accessing of main memory (36), which is a dynamic RAM, and ROM (38) (see page 4, lines 35-38). An input/output controller (46) is connected to a mouse connector (78), which connects the mouse (49), a serial port connector (80) and a speaker connector (82) (see page 4, lines 50-54). It is further taught by Broussard that buttons located on the mouse control different function corresponding to different controls sent to the multi-media controllers (see page 5, lines 29-32), hence there is at least one control button that controls the multi-media device.

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Moreover it is well known in the art the usage of control buttons, or knobs, located on the mouse for carrying out different functions that could also be controlled through a on-display graphic controller via the mouse. Gregg et al. teaches the usage of a pointer device (10) having two dials (20) and (22) which are used to control the mouse response (see column 3, lines 32-40).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to use a mouse with direct control capabilities as taught by Gregg et al. to a multi-media system as taught by Broussard. By directly being able to make adjustments from the mouse by added electronics, this eliminates the need for software drivers which are not universally available and can become obsolete.

With reference to **claims 2-5, 7, 10-11, 13-15, 17, and 18**, it is taught, by Broussard, that the actuation of the button of the mouse would cause signals to be sent to the physical device to cause the corresponding action to occur (see page 5, lines 29-32). In which such physical device could be a compact disc (see page 6, line 1) or amplification signals, i.e., volume, balance, treble, and bass, to be sent to a speaker via audio controller (90) (see page 5, lines 23-25 and figure 1).

Gregg et al. further teaches the usage of a thumb-wheel-type dial, however, does teach that other types of physical switches, or dials can be used, and placed elsewhere on the device (see column 3, line 67-column 4, line 2). Gregg et al. also teaches that pointer device (10) is exemplary of various types of devices to which the disclosed invention is applicable (see column 3, lines 12-15), and is further taught the usage of the thumb-wheel-type dial (48) and (46) on the

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side of the housing of a notebook computer (32), as well as a joystick-type lever (40) and a two-position slider switch (50) (see column 4, lines 18-56).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to have the controllers located on the input device as taught by Gregg et al, for controlling different functions of a multi-media device similar to that which is taught by Broussard, to thereby allow the user with easy accessibility and quick adjustments to the functions.

3. *Claims 6 and 9* are rejected under 35 U.S.C. 103(a) as being unpatentable over Broussard in view of Gregg et al as applied to **claims 1 and 8** above, and further in view of Frank (EP Patent No. 0 596 594).

Broussard and Gregg et al. teach all that is needed as applied to claims 1 and 8 as explained above, however fail to teach that the multi-media controls being able to adjust a television or radio tuner.

Frank teaches that multi-media projects cover many communication media types including printed materials, audio program, television shows, feature films and many others (see column 2, lines 31-37).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to have a multi-media controller as taught by Broussard with the media types as

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taught by Frank to provide several audio and video production units of the user to be controlled by a single unit.

Response to Arguments

4. Applicant's arguments with respect to *claims 1-18* have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Citation of Pertinent Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kim (U.S. Patent No. 5,892,503) teaches a multi-media console keyboard that provides a convenient user interface to provide multi media functions easily accessible to the user.


Inquiries

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alecia D. Nelson whose telephone number is (703) 305-0143 between the hours of 8:00 a.m. and 5:00 p.m. on Monday thru Friday.

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If attempts to reach the above examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720. The examiner's contact person, Vincent Kovalick, can be reached at (703) 305-3020.

adn/ADN
November 6, 1999



STEVEN J. SARAS
SUPERVISORY PATENT EXAMINER
GROUP 2700